

FARAD CONTINUATION SHEET No.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE.**

APPEAL FROM ORDER NO. 784 OF 2004

Office Notes,Office :
Memoranda of Coram, : Court's or Judge's orders
appearnaces,Courts's :
orders or directions :
and Registrar's orders. :

M.P.Vashi for the appellant.

J.Xavier for the respondent.

CORAM: V.C.DAGA,J.

DATED: 14th September 2004.

P.C.:

. During the course of hearing,
learned counsel for the appellant filed
purshis dated 14th September, 2004 and
sought permission to withdraw suit
bearing L.C.Suit No.632 of 2003 pending
on the file of the trial Court with
liberty to file another suit. Purshis
filed in this behalf is taken on record
and marked 'X' for identification.

. Appellant/ plaintiff is allowed
to withdraw suit bearing L.C.Suit No.632
of 2003 as such the suit is dismissed as
withdrawn with liberty reserved in favour

of the appellant to take appropriate proceedings as may be available in law.

All rival contentions are kept open.

. Appellant undertakes to produce this order before the trial Court to seek formal disposal of the suit as withdrawn. In the event of production of this order before the trial Court, trial Court is expected to dispose of the suit as withdrawn with no order as to costs.

. Learned counsel for the appellant prays for continuation of interim relief. Interim relief cannot be continued. Prayer made in this behalf is rejected.

. All the concerned to act on ordinary copy of this order duly authenticated by the Associate/ Personal Secretary of this Court.
